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3 **LAW OFFICES OF STEVEN R. JACOBSEN**

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(510) 465-1500

5 **ATTORNEYS FOR PLAINTIFFS**

6 **MIGUEL ORTEGA AND BENJAMIN ORTEGA**

7
8 **IN THE UNITED STATES DISTRICT COURT**

9 **NORTHERN DIVISION**

10
11 **MIGUEL ORTEGA, and BENJAMIN**
12 **ORTEGA,**

13 **Plaintiffs**

14 **vs.**

15 **CITY OF OAKLAND, et al.,**

16 **Defendants.**

Case No.: C 07-02659 JCS (ADR)

**STIPULATION AND ORDER TO
CONTINUE DEADLINE TO COMPLETE
MEDIATION**

17 The parties to the above captioned litigation desire and agree to continue the deadline to
18 complete the mediation in this matter from February 1, 2008 to February 28, 2008. Initially, the
19 deposition of defendant Oakland Police Officer Ramon Alcantar was scheduled for November 13,
20 2007. Officer Alcantar was not available until December due to the impending birth of his child and
21 scheduled surgery for an injury he suffered to his knee. The parties agreed to continue the deposition to
22 December 11, 2007. Plaintiffs' counsel was then informed that Officer Alcantar had retained new
23 counsel and that the deposition could not go forward. A new deposition date is scheduled for
24 January 8, 2008. In the interim, the plaintiffs noticed the deposition of Oakland Police Officer B. Ortiz
25 for December 14, 2007. The defendants asked that Officer Ortiz' deposition be continued so that new
26 counsel would have time to prepare. Officer B. Ortiz' deposition is scheduled for January 3, 2008.
27 The depositions of the plaintiffs were scheduled for December 13, 2007, but were cancelled due to new
28 counsel coming into the case for Officer Alcantar.

1 In the interim, the parties attempted to schedule the mediation of this matter for late January
 2 2008. The only dates that mediator, Dr. Stephen Sulmeyer was available conflicted with a trial set for
 3 plaintiffs' counsel.

4 The mediation has been continued once so that discovery could proceed. The parties agree that
 5 a one month continuance of the deadline to continue the mediation will allow sufficient time to
 6 complete the depositions of the parties and allow a mediation date that will not conflict with the trial
 7 scheduled for plaintiffs' counsel. The mediator does not oppose a continuance.

8 Therefore, the parties to this action hereby stipulate, by and through their respective counsel of
 9 record to continue the deadline to mediate this matter from February 1, 2008, to February 28, 2008.

10 Dated: December 27, 2007

LAW OFFICES OF STEVEN R. JACOBSEN

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 12
 13 By //ss// CATHERINE R. DOUAT

Attorney for Plaintiffs
 BENJAMIN ORTIZ AND MIGUEL ORTIZ

14
 15
 16 Dated: December 19, 2007

JOHN RUSSO, City Attorney
 RANDOLF W. HALL, Assistant City Attorney
 JAMES F. HODGKINS, Supervising Trial Attorney
 CHARLES VOSE, Senior Deputy Attorney

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 18
 19
 20 By //ss// CHARLES VOSE

Attorney for Defendants
 CITY OF OAKLAND, THE OAKLAND POLICE
 DEPARTMENT, CHIEF WAYNE TUCKER and B.
 ORTIZ

21
 22
 23
 24 Dated: December 20, 2007

BURNHAM BROWN

25
 26
 27 By //ss// JOHN J. VERBER

Attorney for Defendant
 RAMON ALCANTAR

ORDER

Pursuant to stipulation of the parties and good cause appearing there from it is hereby ordered that the deadline form completing mediation in this case is continued from February 1, 2008 to February 28, 2008.

IT IS SO ORDERED

Dated: _____

JOSEPH C. SPERO
U.S. DISTRICT COURT MAGISTRATE